

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

GERALD CAMPBELL,

Plaintiff,

-against-

3:10-CV-0308 (LEK/ATB)

COMMISSIONER OF SOCIAL
SECURITY,

Defendants.

DECISION AND ORDER

This matter comes before the Court following a Report-Recommendation filed on Dec. 20, 2010 by the Honorable Andrew T. Baxter, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3 of the Northern District of New York. Report-Rec. (Dkt. No. 14). After fourteen days from the service thereof, the Clerk has sent the entire file to the undersigned, including the objections by Plaintiff Campbell, which were filed on December 20, 2010. Objections (Dkt. No. 15).

This Court is to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b). “A [district] judge . . . may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” Id. Where, however, an objecting “party makes only conclusory or general objections, or simply reiterates his original arguments, the Court reviews the Report and Recommendation only for clear error.”” Farid v. Bouey, 554 F. Supp. 2d 301, 307 (N.D.N.Y. 2008) (quoting McAllan v. Von Essen, 517 F. Supp. 2d 672, 679 (S.D.N.Y. 2007)

(citations and quotations omitted); see also Brown v. Peters, No. 95-CV-1641, 1997 WL 599355, at *2-3 (N.D.N.Y. Sept. 22, 1997). “A [district] judge . . . may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).

The Court has considered the Objections and has undertaken a *de novo* review of the record and has determined that the Report-Recommendation should be approved for the reasons stated therein.

Accordingly, it is hereby

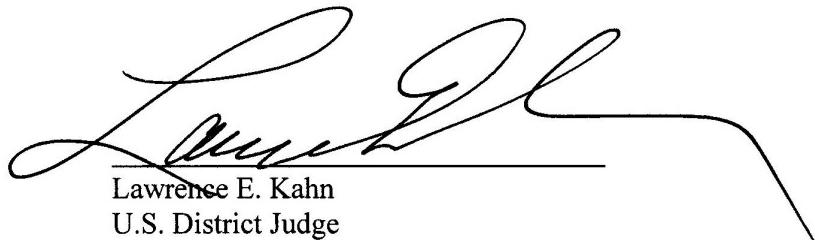
ORDERED, that the Report-Recommendation (Dkt. No. 14) is **APPROVED** and
ADOPTED in its **ENTIRETY**; and it is further

ORDERED, that the decision of the Commissioner is **AFFIRMED**, and that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED**; and it is further

ORDERED, that the Clerk serve a copy of this Order on all parties.

IT IS SO ORDERED.

DATED: January 06, 2011
Albany, New York



Lawrence E. Kahn
U.S. District Judge